



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

JUL 14 2014

Michael Hicks
Federal Highway Administration
District of Columbia Division
1990 K Street NW, Suite 510
Washington, DC 20006-1103

Faisal Hameed
District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

RE: Final Environmental Impact Statement & Section 4(f) Evaluation, Virginia Avenue Tunnel Reconstruction, Washington, DC, May 2014, CEQ# 20140169

Dear Misers Hicks and Hameed:

In accordance with Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, and the Council on Environmental Quality regulations, 40 CFR Parts 1500-1508, the United States Environmental Protection Agency (EPA), has reviewed the Final Environmental Impact Statement (FEIS) for the above referenced project. The project is located in Washington, DC along Virginia Avenue SE between 2nd Street SE and 11th Street SE. The existing Virginia Avenue Tunnel is owned by CSX, is approximately 4,000 feet long, and is greater than 100 years old. The FEIS addresses the proposed tunnel reconstruction. EPA provided comments on the Draft EIS on September 24, 2013. In this letter, EPA rated each of the action alternatives for the project an EC-2 (Environmental Concerns/Insufficient Information). EPA does not rate the FEIS.

The FEIS evaluated a no build alternative and three build alternatives. The preferred alternative has been identified as Alternative 3 Two New tunnels involving the sequential construction of two new tunnels each with a single track, shifted approximately 25 feet to the south. This alternative allows trains to continuously operate in enclosed tunnels during construction. The preferred alternative will be in construction for 30- 42 months.

The FEIS includes several commitments on the additional plans that will be prepared, additional public and agency coordination, and substantial mitigation measures that will be conducted during and post construction of the project. These commitments are summarized in Section S.6 and in Table S-1. EPA had provided several recommendations in our September 13, 2013 letter, including suggestions for continued public outreach, air quality and dust control, and

noise and vibration considerations. EPA feels that the inclusion of commitments for public outreach, coordination and involvement are critical to ensure that comments and concerns on the preferred alternative have or will be adequately addressed. EPA appreciates efforts taken to memorialize these critical commitments in the FEIS and recommends that they be included in the Record of Decision (ROD). It is understood that unresolved issues and incomplete plans and studies will be addressed in subsequent coordination with the affected communities and other stakeholders. EPA would like to remain engaged in this project after the completion of NEPA in order to follow progress towards achieving successful project mitigation and adherence to commitments made in the FEIS and ROD.

Of these commitments, FHWA, District Department of Transportation and CSX proposes: ensuring that mobility and crossings are maintained during construction and all properties remain accessible, using techniques to reduce air emission and fugitive dust, using noise control practices, providing pre-construction building inspections as well as process for addressing potential building damage caused by project construction, implementing a pest control program, and restoring Virginia Avenue SE and park areas to at least their pre-construction condition. CSX also proposes to make available up to \$75,000 for 'front row' houses to offset possible loss of market value when selling property, \$500,000 to the Advisory Neighborhood Commission 6B and 6D to offset temporary inconveniences to residences other than 'front row' homes located in the project area, and \$200,000 to establish a preservation fund to carry out historic preservation related projects. In the event that the proposed mitigative measures are unable to satisfactorily offset the expected impacts, particularly for affects to the surrounding community, including noise and vibration, EPA expects continued coordination with public stakeholders and affected residents as well as additional consideration of whether other mitigative measures may better help reduce construction related impacts.

In addition, a local project community office will be established for the duration of project construction. EPA commends the establishment of a local project office as it may contribute to overall project success and improve public relations during construction. We hope this office will play a critical role in addressing public questions and concerns throughout project construction and during the restoration of Virginia Ave SE and impacted park areas. To the extent possible, we recommend this office be robust and well equipped to effectively partner, communicate with, and provide current applicable information to the affected community and public stakeholders.

In our September 13, 2013 letter on the Draft EIS, EPA also provided comments regarding Environmental Justice (EJ) and Executive Order 13045 on Children's Health and Safety. EPA appreciates efforts to improve and modify the EJ analysis included in the FEIS. In order to improve future studies we recommend including clearly labelled tables of benchmark values for minority and low income populations, demographics for all of the census tracts/block groups in the study area, and the census tracts/block groups that represent the area of potential EJ concern. We feel that including this information in one table could make the assessment of the benchmarks with respect to the communities of concern more easily evaluated. As no clearly identified or dedicated analysis of Children's Health and Safety was included in the FEIS, we recommend that FHWA and DDOT take into consideration potential environmental health and safety risks that may disproportionately affect children to the maximum extent practicable as

additional study and public outreach is conducted for this project. We encourage the local project community office that is being established to consider this topic as well as consider the opportunity and need for appropriate mitigation measures to reduce construction and operation impacts to schools, daycare centers, and other potential sensitive receptors. EPA further recommends that FWHA and DDOT include this important topic in future NEPA documentation for other projects. We hope that some of the references included in our September 13, 2013 letter are useful in conducting future study.

Thank you for allowing EPA with the opportunity to review and comment on the Final EIS for the Virginia Avenue Tunnel Reconstruction Project. If you have questions regarding these comments, the contact for this project is Ms. Alaina McCurdy; she can be reached at (215) 814-2741.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Rudnick', with a long horizontal flourish extending to the right.

Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

